

Abstract

Soviet jurisprudence of the second and third decade of the 20th century and its critical assessment

The presented thesis aims to introduce the life and work of three prominent Soviet legal scholars: Pēteris Ivanovich Stuchka, Evgeny Bronislavovich Pashukanis, and Andrey Yanuaryevich Vyshinsky, who has a significant impact on formulating Soviet legal thinking of the second and third decade of the 20th century. The thesis undertakes to present their ideas and legal theories, subject them to critical analysis and evidence that not everyone who serves the law also serves the good.

The thesis is divided (except for the introduction and end parts) into three parts, each of which is dedicated to one of the examined scholars. The first part is dedicated to Pēteris Stuchka, the second part to Evgeny Pashukanis and the third part to Andrey Vyshinsky. Each of these parts is then divided into two chapters: a bibliographical chapter and a chapter examining their legal theories and opinions.

Each of the bibliographical chapters focuses on the life of P. Stuchka, E. Pashukanis, and A. Vyshinsky, and their scientific and academic careers. Each part of their lives is explored and some myths about their lives rebuked. Even though exploration of their lives may seem as superfluous on the first sight, it is to the contrary. Their lives and careers are crucial for the understanding of their opinions and influences which formed their personalities and, consequently, their legal theories.

Each of the chapter examining their legal theories is divided into subchapters law, state, legality, and justice. Each of these subchapters then describes and critically evaluates theories of each of the scholars. The only exception is made in case of P. Stuchka, which chapter does not contain the justice subchapter for the lack of relevant material on this topic. This is not surprising, though, as the field of justice was generally outside of the interest of Soviet legal scholars.

At the end of the thesis, all findings and conclusions are summarised and critically examined from both the perspective of the period of their origin and the perspective of current jurisprudence.

Key words:

Stuchka, Pashukanis, Vyshinsky